

James R. Condo (#005867)  
**SNELL & WILMER L.L.P.**  
 One Arizona Center  
 400 E. Van Buren, Suite 1900  
 Phoenix, Arizona 85004-2202  
 Telephone: 602.382.6000  
 Facsimile: 602.382.6070  
 jcondo@swlaw.com

Richard B. North, Jr. (admitted *pro hac vice*)  
 Georgia Bar No. 545599  
 Matthew B. Lerner (admitted *pro hac vice*)  
 Georgia Bar No. 446986  
**NELSON MULLINS RILEY & SCARBOROUGH LLP**  
 201 17th Street, NW / Suite 1700  
 Atlanta, GA 30363  
 Telephone: (404) 322-6000  
 Telephone: (602) 382-6000  
 richard.north@nelsonmullins.com  
 matthew.lerner@nelsonmullins.com

Attorneys for Defendants C. R. Bard, Inc. and  
 Bard Peripheral Vascular, Inc.

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability  
 Litigation,

No. 2:15-MD-02641-DGC

**DEFENDANTS' PROPOSED  
 VERDICT FORM**

This Document Relates to:

Lisa Hyde, et al. v. C. R. Bard, Inc., et al.  
 CV-16-00893-PHX-DGC

(Assigned to the Honorable David G.  
 Campbell)

In accordance with the Case Management Order No. \_\_\_\_ [Doc. \_\_\_\_], Defendants  
 hereby submit their proposed Verdict Form:

1 We, the jury empaneled and sworn in the above action, upon our oaths, find as  
2 follows:

3 **A. LIABILITY**

4 **1. Strict Product Liability Design Defect Claim<sup>1</sup>**

5 a. Do you find with reasonable certainty that the foreseeable risks of the harm  
6 posed by the design of the filter implanted in Mrs. Hyde could have been  
7 reduced or avoided by the adoption of a reasonable alternative design by  
8 Bard? \_\_\_\_\_Yes \_\_\_\_\_No

9 If you answered “No” go to Question 1.a. do not complete parts 1.b. and 1.c. and  
10 go to Question 2.

11 b. If you answered yes to 1.a., Do you find with reasonable certainty that the  
12 omission of an alternative design renders the filter implanted in Mrs. Hyde  
13 not reasonably safe? \_\_\_\_\_Yes \_\_\_\_\_No

14 If you answered “No” go to Question 1.a. and 1.b. do not complete Question 1.c.  
15 and go to Question 2.

16  
17 c. If you answered yes to 1.b., Do you find with reasonable certainty that the  
18 defective condition of the filter implanted in Mrs. Hyde rendered the filter  
19 unreasonably dangerous to her? \_\_\_\_\_Yes \_\_\_\_\_No

20 If you answered “No” go to Question 1.a., 1.b. and 1. c do not complete Question  
21 1.d. and go to Question 2.

22  
23 d. If you answered yes to 1.c., Do you find that Mrs. Hyde’s injuries were  
24 caused by an inherent characteristic of the filter that would be recognized by  
25 physicians who implanted the filters? \_\_\_\_\_Yes \_\_\_\_\_No

26 **2. Negligent Design Claim**

27 \_\_\_\_\_  
28 <sup>1</sup> Bard notes that Wisconsin Pattern Instruction 3260.1 contemplates an interrogatory on the strict liability claim.

1 Do you find with reasonable certainty that Bard is liable to Mrs. Hyde Jones on the  
2 negligent design claim? \_\_\_\_\_Yes \_\_\_\_\_No

3 If you answered “No” to each any Question in A.1. and “No” to Question A.2., do  
4 not complete Part A.3 or Parts B or C. If you answered “Yes” to any question in Part A.1,  
5 or Question A.2. and please complete Question A.3, Questions B and C.

### 6 7 **3. Loss of Consortium Claim**

8 Do you find with reasonable certainty that Bard is liable to Mr. Hyde for loss of  
9 consortium? \_\_\_\_\_Yes \_\_\_\_\_No

## 10 11 **B. COMPENSATORY DAMAGES**

12 1. If you found Bard liable on any of the claims set forth above, what amount  
13 of damages do you find will reasonably compensate Mrs. Hyde for her injuries?

14 \$ \_\_\_\_\_

15 2. If you found Bard liable on Mr. Hyde’s claims for loss of consortium, what  
16 amount do you find will reasonably compensate Mr. Hyde for his claim?

17 \$ \_\_\_\_\_

## 18 19 **C. PUNITIVE DAMAGES**

20 Do you find by clear, satisfactory, and convincing evidence to a reasonable  
21 certainty that punitive damages should be awarded against Bard? \_\_\_\_\_Yes  
22 \_\_\_\_\_No

23  
24  
25 \_\_\_\_\_  
Presiding Juror Number

\_\_\_\_\_Date

1 DATED this 28th day of August, 2018.

2 s/Richard B. North, Jr.  
3 Richard B. North, Jr.  
4 Georgia Bar No. 545599  
5 Matthew B. Lerner  
6 Georgia Bar No. 446986  
7 Elizabeth C. Helm  
8 Georgia Bar No. 289930  
9 NELSON MULLINS RILEY & SCARBOROUGH, LLP  
Atlantic Station  
201 17th Street, NW / Suite 1700  
Atlanta, GA 30363  
PH: (404) 322-6000  
FX: (404) 322-6050  
Richard.North@nelsonmullins.com  
Jim.Rogers@nelsonmullins.com

10 James R. Condo (#005867)  
11 SNELL & WILMER L.L.P.  
12 One Arizona Center  
13 400 E. Van Buren  
14 Phoenix, AZ 85004-2204  
15 PH: (602) 382-6000  
16 JCondo@swlaw.com

17 **Attorney for Defendants C. R. Bard, Inc. and**  
18 **Bard Peripheral Vascular, Inc.**  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 28, 2018, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Richard B. North, Jr.  
Richard B. North, Jr.  
Georgia Bar No. 545599  
NELSON MULLINS RILEY & SCARBOROUGH, LLP  
Atlantic Station  
201 17th Street, NW / Suite 1700  
Atlanta, GA 30363  
PH: (404) 322-6000  
FX: (404) 322-6050  
Richard.North@nelsonmullins.com

Nelson Mullins Riley & Scarborough  
LLP  
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(404) 322-6000